



**City of Milwaukee**  
**Department of Neighborhood Services**  
**Condemnation Section**  
**841 N Broadway**  
**Milwaukee, WI 53202**

February 8, 2018  
Order #: RVIL-18-00053

**ORDER TO RAZE OR REPAIR BUILDING**  
**PURSUANT TO SECTION 218-4, MILW. CODE**

Barclay Lofts LLC  
233 Park Ave S #201  
Minneapolis, MN 55415

TO: Owners and Holders of Encumbrances of Record:

Barclay Lofts LLC, 233 Park Ave S #201, Minneapolis MN 55415  
Bridgewater Bank, 3800 American Blvd West, Suite 100, Bloomington MN, 55431  
MD Fifth Ward Properties, Inc, 111 East Kilbourn Ave, 19<sup>th</sup> FL, Milwaukee WI 53202

Re: Premises located at **139 E Oregon St**  
Tax-key #: 428-0499-100

LEGAL DESCRIPTION: WALKER'S POINT IN NE ¼ SEC 32-7-22 BLOCK 34 LOTS 1-2-3 & 12 PARTS (LOTS 9-10-11 & VAC ALLEY) COM 28' N OF SW COR LOT 12-TH NWLY TO CL VAC ALLEY-TH E TO A PT IN W LI LOT 3 EXT S -TH N 150'-TH E 150'-TH S 300'-TH W 50'-TH N 28'-TO BEG NID #08

An inspection of Building 35, a 2-story brick/ masonry AST storage building, Building 34, a 3-story brick/ masonry factory/warehouse and Building 33, a 3- story brick/masonry factory/warehouse located at the above address has revealed buildings that are old, dilapidated or out of repair. The buildings have been the subject of health department reports describing conditions therein that consequently make the buildings dangerous, unsafe, unsanitary, and/or otherwise unfit for human habitation.

The conditions constituting a nuisance are as follows:

- The buildings have been found to be in violation of Volume 2 of the Milwaukee Code of Ordinances
- There is widespread contamination of building components from toxins including heavy metals, polychlorinated biphenyls, and semi-volatile organic compounds

All such buildings, structures or parts thereof consistent with the conditions specified in s. 218-9, are declared to be a public nuisance, endangering life, limb, health or property, and shall be repaired and made safe, or razed



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and removed in compliance with Chapter 218, Milwaukee Code of Ordinances, as ordered by the commissioner, pursuant to the authority provided in § 66.0413(4), Wis. Stats.

Therefore, I, Preston D. Cole, Commissioner of Neighborhood Services of the City of Milwaukee, pursuant to the authority of Sec. 218-4, MILW. CODE, do hereby order you to raze or repair the aforementioned Building 35, a 2-story brick/masonry AST storage building, Building 34, 3-story brick/ masonry factory/warehouse, and Building 33, a 3-story brick/masonry factory/warehouse.

If you choose to repair the buildings, they shall be repaired in a lawful manner consistent with any orders from the Environmental Protection Agency, Wisconsin Department of Natural Resources, Milwaukee Health Department, and this office within one hundred eighty (180) days after the service of this order upon you.

If you choose to raze the buildings, you shall demolish and remove them together with all accessory structures and fixtures, and restore the aforementioned premises to a dust-free and erosion-free condition in a lawful manner consistent with any orders from the Environmental Protection Agency, Wisconsin Department of Natural Resources, Milwaukee Health Department, and this office within one hundred eighty (180) days after the service of this order upon you.

Whether you repair or raze the building(s), due to the specific conditions on this property, you are required to:

- Develop a site specific plan to perform in situ sampling/testing of air during repair or raze activities (including but not limited to cutting, drilling, abrasive action, demolition, or component deterioration) to approximate respiratory exposure to dusts reasonably expected to be generated from these activities.
- Sample and analyze settled dusts after repair or raze activities to assess hand-to-mouth ingestion and other possible exposure routes.
- Develop a viable site and occupancy specific plan to address future maintenance, repairs and renovations to protect occupants and workers from existing building components impacted by toxins including heavy metals, polychlorinated biphenyls, and semi-volatile organic compounds.
- Employ respiratory protection from metal bearing dusts for any persons entering into interior areas where surfaces have not been cleaned, coated ( or otherwise treated to eliminate dust hazards), and wipe-tested to confirm successful interim control of hazards from surface dust

If you fail to repair or raze and remove the building within the time prescribed, the same will be razed, removed and restored to a dust-free and erosion-free condition by contract or arrangement with private persons or firms, and the costs thereof, plus additional contract administration charges, all of which constitute a lien on the real estate, may be assessed and collected as a special charge under Sec. 218-4, MILW. CODE, or be collected personally.





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The building(s) must be maintained vacant and secure from entry until you have complied with this order. In the event you do not maintain the building(s) secure from unauthorized entry, this department will maintain the building(s) secure and assess any cost against the real estate. Any use will be a violation of Sec. 200-11-5-b, MILW. CODE, and any use will be subject to prosecution, Section ATCP 134.09 prohibits the advertising for rental of condemned properties. No landlord may rent or advertise for rent any premises which have been placarded and condemned for human habitation.

Before the building(s) may be removed, raze and erosion control permits are required. Upon completion, appropriate soil erosion control measures must be installed in accordance with Sec. 290, MILW. CODE.

Permits can be obtained on-line at: <https://Milwaukee.gov/LMS>. If you have any questions, please call the Permit Center at (414)286-8207.

For any additional information, phone **Inspector Mike Demski** at (414)286-3559 between the hours of 8:00 a.m. to 10:00 a.m. Monday through Friday.

Per Preston D. Cole, Commissioner of Neighborhood Services By -

  
Mike Demski

**NOTICE OF APPEAL RIGHTS:** This order is appealable to the Standards and Appeals Commission, located on the 1<sup>st</sup> floor, Milwaukee Municipal Building, 841 N Broadway, Milwaukee. Appeals must be filed in person and within 20 days of service, if personally served, and within 30 days if served by publication, pursuant to Sec. 218-4-4, Milw. Code. Timely filing of a notice of appeal shall stay this order until the hearing date. Appeals shall be filed with a fee as prescribed in Sec. 200-33-3, Milw. Code. If possible, bring a copy of this order with you when filing for appeal.

**TRADUCCION EN ESPAÑOL**

Si Ud, necesite ayuda para la traducción, de esta información, comuníquese con el 'Centro Hispano' Council for the Spanish Speaking, Inc., 614 W. National Avenue, Milwaukee, WI 53204. Teléfono: (414) 384-3700 o Community Advocates, 4906 W. Fond du Lac Ave., Milwaukee WI, 53216, Teléfono: (414) 449-4777



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Yog koj xav tau kev pab txhais cov lus no, thov hu mus rau koomhaum Hmong/American Friendship Association, 3824 West Vliet Street, Milwaukee, WI 53208, xovtooj yog (414) 344-6575.